

REMARKS

I. Formalities

Claims 1-36 remain in the subject patent application. Claims 13-36 are allowed. Applicant amends claims 1-4 and 9-12. Specifically, Applicant amends claim 1 by incorporating the limitations originally included in claims 4 and 8, and amends claims 2-4 and 9-12 to depend from allowed claim 36. Additionally, Applicant deletes “a pre-emphasis circuit” from claim 11 because claim 36 already claims this element. Also, Applicant amends claim 9 to correct a minor typographical mistake. Thus, the Examiner can enter Applicant’s amendment in accordance with 37 C.F.R. §1.116(b)(2). M.P.E.P. §714.13.

II. Response to the 35 U.S.C. §102 Rejections

The USPTO rejects claims 1, 3, 10, and 11 under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 7,060,906 to Bakka et al. (hereinafter “Bakka”). Applicant respectfully traverses the rejection in view of the comments hereinbelow.

A. Remarks Directed to Claim 1

Applicant amends independent claim 1 by incorporating the features of dependant claims 4 and 8. The Examiner indicates in the Final Office Action claim 8 contains allowable subject matter. Accordingly, Applicant respectfully submits that claim 1, as amended, should be allowed.

B. Remarks Directed to Claims 3, 10, and 11

Applicant amends claims 3, 10, and 11 to depend from allowed independent claim 36. Dependent claims must be construed to include all of the limitations of the claims from which they depend, as required by 37 C.F.R. 1.75(c) and M.P.E.P. 608.01(n). Therefore, the USPTO should allow amended claims 3, 10, and 11, which depend directly from allowed claim 36.

III. Response to the 35 U.S.C. §103 Rejections

The USPTO rejects claims 2 and 4-6 under 35 U.S.C. §103(a) as being allegedly rendered unpatentable by Bakka in view of U.S. Patent Application Publication No. 2002/0038334 to Schneider et al. (hereinafter “Schneider”)

The USPTO rejects claim 7 under 35 U.S.C. §103(a) as being allegedly rendered unpatentable by Bakka in view of Schneider and in further view of U.S. Patent Application Publication No. 2003/0131127 to King et al. (hereinafter “King”).

The USPTO rejects claim 9 under 35 U.S.C. §103(a) as being allegedly rendered unpatentable by Bakka in view of U.S. Patent No. 7,015,397 to Clark.

The USPTO rejects Claims 12 under 35 U.S.C. §103(a) as being allegedly rendered unpatentable by Bakka in view of U.S. Patent No. 5,983,085 to Zamat et al. (hereinafter “Zamat”).

Applicant respectfully traverses these rejections in view of the comments hereinbelow.

A. Remarks Directed to Claims 2, 4-6, 9, and 12

Applicant amends claims 2, 4, 9, and 12 to depend from allowed independent claim 36. Dependent claims must be construed to include all of the limitations of the claims from which they depend, as required by 37 C.F.R. 1.75(c) and M.P.E.P. 608.01(n). Therefore, the USPTO should allow amended claims 2, 4-6, 9, and 12, which depend, directly or indirectly, from allowed claim 36.

B. Remarks Directed to Claim 7

Claim 7 depends from claim 4, which is amended to depend from independent claim 36. Dependent claims must be construed to include all of the limitations of the claims from which

they depend, as required by 37 C.F.R. 1.75(c) and M.P.E.P. 608.01(n). Therefore, USPTO should allow claim 7 for at least the same reason as claim 36.

Furthermore, the USPTO's rejection of claim 7 is improper because, as argued in the Response to Office Action, filed on August 21, 2006, the King reference is not citable prior art.

The King patent application and this patent application were, at the time the invention of this application was made, owned by the same entity, Belkin Corporation of Compton, California. A statement of common ownership was attached to the Response to Office Action, filed on August 21, 2006 at page 30. Thus, the King reference is disqualified as prior art. 35 U.S.C. § 103(c). Therefore, the USPTO should withdraw its rejection of claim 7.

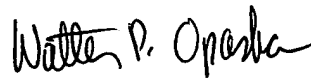
CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. In light of the remarks set forth above, Applicant respectfully, request reconsideration and allowance of all of the pending claims.

No fees appear to be due in connection with this Response to Final Office Action. However, the Commissioner for Patents is hereby authorized to charge any additional required fees necessitated by this Response to Final Office Action, or credit any overpayment, to Account No. 02-4467.

If there are matters that can be discussed by telephone to further the prosecution of this application, Applicant invite Examiner Kaplan call the undersigned attorney at the Examiner's convenience.

Respectfully submitted,



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